

# DIRECTIVE

## WELFARE-TO-WORK

Number: WD00-1

Date: February 4, 2000  
69:96:va:2922

TO: SERVICE DELIVERY AREA ADMINISTRATORS  
PRIVATE INDUSTRY COUNCIL CHAIRPERSONS  
WELFARE-TO-WORK 15 PERCENT SUBGRANTEES  
DOL WELFARE-TO-WORK 25 PERCENT SUBGRANTEES  
COUNTY WELFARE DEPARTMENT DIRECTORS  
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES  
EDD EXECUTIVE STAFF  
WORKFORCE DEVELOPMENT BRANCH STAFF

SUBJECT: WtW GRANT PROGRAM ELIGIBILITY

### EXECUTIVE SUMMARY:

#### Purpose:

This directive contains federal and State requirements for eligibility determination and verification for participation in the Welfare-to-Work (WtW) Grant program, and the allowable employment activities for the California Work Opportunity and Responsibility to Kids (CalWORKs) and WtW Grant programs. It also includes four attachments: a glossary, an easy desktop reference for eligibility determination, a table of suggested documentation, and a sample referral form.

#### Scope:

The requirements in this directive apply to Private Industry Councils (PIC), WtW 15 Percent subgrantees, and other subrecipients responsible for determining and verifying the eligibility of participants for the WtW Grant program.

#### Effective Date:

This directive is effective immediately.

### REFERENCES:

- Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, Social Security, Title IV, Part A, Section 401 et al. (August 22, 1996)
- Balanced Budget Act of 1997, Social Security Act, Title IV, Part A, Section 403(a)(5) (August 5, 1997)
- Child Support Performance and Incentive Act of 1998, Social Security Act Title IV, Part A, Section 403(a)(5)(C)(ii) (July 16, 1998)

- Title 45 Code of Federal Regulations (CFR) Part 260, et al., Temporary Assistance for Needy Families (TANF): Final Rule (April 12, 1999)
- Title 20 CFR Part 645, et al. (November 18, 1997)
- Department of Labor (DOL) Training and Employment Guidance Letter (TEGL) 11-97, Change 1, Subject: Welfare-to-Work Reporting (February 22, 1999)
- DOL TEGL 6-98, Change 1, Subject: Technical Amendment to WtW—Eligibility Criteria for Noncustodial Parents (September 21, 1998)
- DOL JTPA Regional Bulletin (JRB) 13-98, Subject: Request for Comments on Proposed WtW Monitoring Guide (May 26, 1998)
- DOL Employment and Training Administration's Welfare-to-Work Questions and Answers Internet site at <http://wtw.doleta.gov>
- California Welfare and Institutions Code (WIC) Sections 10500-11526.5 (August 11, 1997)
- All County Letter (ACL) 99-20, Subject: WtW Grant Program Policy Issues (April 9, 1999)
- ACL 98-90, Subject: Federal WtW Grant Program (November 18, 1998)
- ACL 98-42, Subject: CalWORKs Drug and Fleeing Felons Regulations (July 1, 1998)
- All County Information Notice (ACIN) I-70-99, Subject: CalWORKs WtW Program Regulations Package (Office of Regulation Development Number 0398-07) (September 23, 1999)
- CDSS Manual of Policies and Procedures (MPP), Eligibility and Assistance Standards

#### **STATE-IMPOSED REQUIREMENTS:**

This directive contains some State-imposed requirements. These requirements are indicated by ***bold, italic*** type.

#### **FILING INSTRUCTIONS:**

This directive finalizes Draft Directive WDD-10 issued for comment on July 27, 1999. Retain this directive until further notice.

#### **BACKGROUND:**

Title 20 CFR Sections 645.212, 645.213, and 645.214 establish the categories and eligibility criteria for the WtW Grant program. These regulations implement the WtW Grant provisions of Title IV, Part A, Section 403(a)(5)(C)(ii), (iii), and (iv) of the Social Security Act. The Child Support Performance and Incentive Act of 1998 included technical amendments to Section 403(a)(5)(C)(ii) regarding the WtW eligibility requirements for noncustodial parents.

## **POLICY AND PROCEDURES:**

### **Definitions:**

As used in this directive:

*Operating Entity* means PICs and Service Delivery Areas (SDA) responsible for the expenditure of the WtW Grant formula funds, and the Governor's 15 Percent funded WtW special project subgrantees.

*Welfare-to-Work* has two meanings in this directive. When referring to the CalWORKs employment component, the term *welfare-to-work* will be used. References to the WtW Grant program will be noted by the acronym *WtW*.

*Attachment 1* is a glossary of other terms used in this directive.

### **Eligibility Criteria:**

***The CalWORKs recipients may participate in the WtW Grant program as part of, or as an alternative to, participating in the CalWORKs welfare-to-work funded activities, as long as the recipient is otherwise eligible for the WtW Grant program, and such activities are included as a part of the recipient's CalWORKs welfare-to-work plan or are in addition the CalWORKs activities.***

***The eligibility determination for the WtW Grant program is valid for as long as the CalWORKs recipient is still receiving assistance and/or enrolled in the WtW Grant program. The CalWORKs recipient's enrollment in the WtW Grant program may occur at anytime after the eligibility determination as long as the recipient is receiving CalWORKs assistance at the time of enrollment. Operating entities are encouraged by DOL (TEGL 11-97, Change 1) to enroll individuals into the WtW Grant program as soon as they are determined eligible so that when an appropriate service/activity becomes available, the individual does not have to be re-assessed for eligibility based on current receipt of CalWORKs assistance. Enrollment occurs when the WtW Enrollment Form (WtW 20 EWEF) is completed. If an individual is not enrolled as soon as he or she is determined eligible, the operating entity must confirm with the county welfare department (CWD) that the individual is receiving CalWORKs assistance at the time of enrollment.***

***The eligibility documentation held by the CWD is acceptable evidence for demonstrating that an individual or minor child of a noncustodial parent:***

- ***Is currently receiving CalWORKs assistance,***
- ***Has received assistance for at least 30 months (consecutive or not),***
- ***Will become ineligible for assistance due to reaching the federal lifetime limit on aid within 12 months,***
- ***Has not completed secondary school or obtained a general equivalency diploma (GED), and has reading or mathematics skills at or below the 8.9 grade level,***
- ***Requires substance abuse treatment for employment,***

- ***Has not worked in full-time unsubsidized employment at least 13 consecutive weeks in the last 12 calendar months, and/or***
- ***Has characteristics associated with, or predictive of, long-term welfare dependence as mutually determined by the CWD and operating entity.***

***The CWDs will permit reasonable access to CalWORKs case records to the operating entities, EDD, DOL, or other State and federal agencies to ensure that CalWORKs records sufficiently and routinely document relevant WtW Grant program eligibility criteria. This does not impose or imply any liability on the part of CWDs or CDSS for disallowed WtW Grant program costs.***

***Operating entities, however, are responsible for ensuring that only WtW eligible individuals are served in the WtW Grant program, and are therefore ultimately liable for any disallowed costs associated with eligibility determination.***

#### Eligibility Under the 70 Percent Provision

An individual is eligible under this provision if he or she meets the criteria for any one of the following three categories:

- **Category One:** For eligibility under category one, an individual must meet each of the following three eligibility criteria:
  1. The individual must be a current recipient of CalWORKs assistance.
  2. The individual must face at least two of the three following barriers to employment:
    - a. Has not completed secondary school or obtained a general equivalency diploma (GED) and has low skills in reading or mathematics at or below the 8.9 grade level. ***In cases where a non-English or limited-English speaking individual has a high school diploma or its equivalent from another country, such a diploma may be disregarded when determining eligibility for the WtW Grant program;***
    - b. Requires substance abuse treatment for employment; and/or
    - c. Has a poor work history.

#### Ten Percent Flexibility in Defining Barriers Under the 70 Percent Provision

*Operating entities have flexibility to define “poor work history” and “low skills in reading or mathematics” for up to 10 percent of participants to recognize individual circumstances, specialized needs, and local labor market conditions. These local alternative definitions must be included in the PIC’s local plan and the Governor’s 15 percent subrecipient’s policy and procedure statements. The 10 percent flexibility is allowed for **each** of the definitions so that conceivably more than 10 percent of an operating entity’s participants may be determined eligible based on the two locally defined barriers. Operating entities and CWDs are encouraged to cooperatively develop these definitions.*

3. The individual:

- a. Must have received assistance under the CalWORKs program and/or Aid to Families with Dependent Children (AFDC) for at least 30 months, whether consecutive or not; or
- b. Will become ineligible for CalWORKs assistance within 12 months due to the federal 60-month lifetime limit on aid. This includes welfare recipients who have been exempted or received a waiver from participating in the CalWORKs welfare-to-work program by the CWD, but would have faced ineligibility within 12 months without the exemption or waiver. [ACIN 1-70-99, p. 6, 42-710] ***A recipient may be WtW Grant eligible if the last minor child or the only minor child in an assistance unit is within 12 months of being ineligible for CalWORKs assistance because of turning 18 years of age.***

Custodial caretaker relatives, who are CalWORKs recipients, are subject to the same TANF participation requirements, time limitations, and other requirements provided under Section 403(a)(5)(C)(ii) of the Social Security Act as other CalWORKs recipients and may be eligible for participation in the WtW Grant program.

The CDSS has cautioned operating entities and CWDs not to interpret the CalWORKs 18- and 24-month limits as durational lifetime limits on aid. The CalWORKs 18- and 24-month limits are the period of time a recipient can receive CalWORKs cash assistance before being required to participate in unsubsidized employment or CalWORKs community service activities. [ACL 98-90, also see *Time Limits* on p. 12 of this directive]

- **Category Two:** A noncustodial parent is eligible to participate under the 70 percent provision if the noncustodial parent faces at least two of the three barriers to employment (see *Category One, number 2* above) and the custodial parent or minor child:
  1. Is a current recipient of CalWORKs assistance and has been receiving assistance for at least 30 months, whether consecutive or not; or
  2. Will become ineligible to receive CalWORKs assistance within 12 months (see *Category One, number 3, item b* above).

NOTE: Refer to page 7, *Noncustodial Parent Eligibility Criteria* for additional eligibility information about noncustodial parents.

- **Category Three:** An individual is eligible under *Category Three* of the 70 percent provision if he or she faces barriers to employment (as provided under *Category One* above), and would otherwise be eligible to receive CalWORKs assistance but is no longer receiving TANF-funded assistance because he or she has reached the federal 60-month lifetime limit on aid.

### Eligibility Under the 30 Percent Provision

There are three different categories of individuals who may be served as individuals with characteristics associated with, or predictive of, long-term welfare dependence. An individual is eligible under the 30 percent provision if he or she meets the criteria for any one of the following three eligibility categories:

- **Category One:** To be eligible under category one of the 30 percent provisions, an individual must be meeting both of the following criteria:
  1. Is a current recipient of CalWORKs assistance, and
  2. Has characteristics associated with, or predictive of, long-term welfare dependence—such as, having dropped out of school, teenage pregnancy,\* or having a poor work history. In addition to the characteristics listed above, operating entities may designate other characteristics associated with, or predictive of, long-term welfare dependence.

NOTE: The PICs must specify the other characteristics in their local plans. Governor's 15 Percent funded WtW project subgrantees must specify the other characteristics in their local policy and procedure statements. They do not need to modify their subgrant agreements.

- **Category Two:** A noncustodial parent is eligible to participate under this provision if he or she has at least one of the locally determined characteristics associated with, or predictive of, long-term welfare dependence, and the custodial parent of the noncustodial parent's minor child(ren) is currently receiving CalWORKs assistance. (Refer to *Category One, item 2* above for characteristics.)
- **Category Three:** An individual who has characteristics associated with, or predictive of, long-term welfare dependence, and who would otherwise be eligible to receive CalWORKs assistance but is no longer receiving assistance because he or she has reached the federal 60-month lifetime limit on aid is eligible to participate under the 30 percent provision.

***An individual currently enrolled under the 30 percent provision may later become eligible under the 70 percent provision. At the time that the individual becomes eligible under the 70 percent provision, a complete redetermination of eligibility is not necessary, nor is it necessary to terminate the individual from the WtW Grant program.*** (For reporting and participant tracking considerations involved in transferring an individual from the 30 percent to the 70 percent portion of the program, contact the Job Training Automation Help Desk at (916) 653-0202.)

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\* In California, pregnant and parenting teens receiving CalWORKs assistance must participate in the Cal-Learn program until they obtain their high school diploma or receive their GED or turn 20 years of age. After they have received their diploma or GED or become 20 years of age, they are required to participate in the CalWORKs welfare-to-work program, unless exempt. Refer to ACIN I-70-99, MPP Section 42-712, for the definition of allowable exemptions under the CalWORKs welfare-to-work program. Such exemptions are determined by the CWD.

*Attachment 2* to this directive is a summary of the WtW Grant program eligibility criteria that is included as an easy desktop reference for line workers.

#### Noncustodial Parent Eligibility Criteria:

Because of the number of projects targeting noncustodial parents, and to clarify their eligibility determination, the following application of the eligibility criteria for noncustodial parents has been included. Furthermore, DOL has advised California that noncustodial parents living in California whose children are receiving TANF-funded assistance in another state may be served if otherwise eligible. The operating entity must document and verify the children's receipt of assistance with the state that is providing the children's TANF assistance.

#### Under the 70 Percent Provision

A noncustodial parent is eligible under this provision if he or she meets the following criteria:

- **First Criterion:** At least two of the following barriers to employment must apply to the noncustodial parent:
  1. Has not completed secondary school or obtained a GED, and has low skills in reading or mathematics, which is at or below the 8.9 grade level.
  2. Requires substance abuse treatment for employment.
  3. Has a poor work history, as provided under the 70 percent provision.
- **Second Criterion:** The custodial parent, or the minor child of the noncustodial parent:
  1. Is currently receiving CalWORKs assistance and has received assistance for at least 30 months; or
  2. Is within 12 months of becoming ineligible for CalWORKs assistance because of the federal 60-month lifetime limit on aid, without regard to any exemption provided due to the custodial parent.

NOTE: Written correspondence with DOL states that it is reasonable to interpret this criterion to include the youngest or only minor child of an assistance unit who is within 12 months of being ineligible for CalWORKs assistance because of becoming 18 years of age.

#### Under the 30 Percent Provision

A noncustodial parent is eligible under this provision if:

1. The custodial parent of the noncustodial parent's minor child is receiving CalWORKs assistance; and
2. The noncustodial parent has characteristics associated with long-term welfare dependence.

In cases where the noncustodial parent's minor child is not under the care of a custodial parent who is receiving CalWORKs assistance, the noncustodial parent is not eligible under the 30 percent provision. If the custodial parent is financially sanctioned and is

not receiving CalWORKs assistance at the time of the WtW Grant eligibility determination of the noncustodial parent, the noncustodial parent may not be served, even if otherwise eligible, until the custodial parent “cures” the financial sanction. The custodial parent must be receiving CalWORKs assistance at the time that the noncustodial parent is determined eligible for the WtW Grant program under the 30 percent provision. Subsequent financial sanctions of the custodial parent after the noncustodial parent is enrolled in the WtW Grant program will not affect the noncustodial parent’s continued participation in the WtW Grant program.

### **General Discussion:**

**Applicant Statement**—Whenever an applicant statement is necessary to determine eligibility, it is recommended that the operating entity use the Applicant Statement (or a similarly developed local form) that is contained in the *Job Training Partnership Act Technical Assistance Guide for Title II Eligibility Documentation*, p. III-4.

**Documentation**—The proposed federal monitoring guide includes a sub-state review of documents and participant records pertinent to the eligibility determination of individual participants. Participant records will be examined to ensure that the information necessary for making an eligibility determination is **collected, documented and verified**, and that all participants meet the eligibility criteria. [JRB 13-98, Federal Register, Vol. 63, No. 83] ***These documents may be filed in the recipient’s CWD case records or the WtW Grant operating entity’s participant records.*** (See *Attachment 3* for suggested documentation.)

It is the responsibility of operating entities and CWDs to ensure that eligibility determinations are based on information, which is current at the time the WtW Grant program eligibility determination is made. In lieu of more current information, CWDs and operating entities are allowed flexibility to use information about the recipient’s barriers to employment and characteristics of long-term welfare dependence that were collected up to six months prior to the WtW Grant program eligibility determination. Information about the recipient’s receipt of CalWORKs assistance must be current on the day the individual is **enrolled** in the WtW Grant program. (See *Eligibility Determination vs. Enrollment*, p. 9)

Attached to this directive is a sample referral form (*Attachment 4*) that may be used locally to develop CWD referrals to the WtW Grant program and certify that the recipient’s eligibility for the WtW Grant program has been documented and verified in accordance with agreements between the operating entity and the CWD. *Attachment 4* is available in our Resource Information Center at <http://www.edd.ca.gov/wtowricm.htm>.

**Drug-Related Convictions**—Section 115 of the Social Security Act, *Denial of Assistance for Certain Drug-Related Convictions*, states that nothing in Section 115 shall be construed to deny an individual convicted of any offense, which is classified as a felony and which has as an element the possession, use, or distribution of a controlled substance, the benefit of federally funded job training. Consequently, a noncustodial parent of a minor child receiving CalWORKs assistance, who has been convicted of a drug-related felony and is otherwise WtW eligible, may be provided employment and



training services, including the post-employment and supportive services funded by the WtW Grant program.

NOTE: Refer to ACL 98-42, p. 1, MPP 40-034 for information about fleeing felons and p. 2, MPP 82-832 for excluded persons as provided under the CalWORKs program.

**Eligibility Determination vs. Enrollment**—The guidance for these two elements of the WtW Grant program is different. The differences involve the determination of an individual's receipt of assistance as opposed to the determination of the barriers an individual faces and his or her characteristics of long-term welfare dependence.

1. Once an individual's barriers to employment and characteristics of long-term welfare dependence have been documented and verified during eligibility determination, the determination is valid for as long as the individual is receiving assistance. This determination may be based on information that was collected up to six months prior to the WtW eligibility determination.
2. Information about the individual's receipt of assistance must be current at the time of the WtW eligibility determination and at the time the individual is enrolled in the WtW Grant program. Once an individual is enrolled, the individual's receipt of assistance does not need to be redetermined. However, if time elapses between eligibility determination and enrollment, it must be verified that the individual is still receiving assistance.

**Eligibility Determination Mechanisms**—The WtW regulations require that the operating entity ensure that there are mechanisms in place to establish WtW eligibility. The mechanisms for determining WtW eligibility must address how WtW operating entities and the CWD will work together to facilitate the exchange of eligibility information. ***This exchange may include a locally developed referral form similar to Attachment 4.*** [Title 20 CFR Section 645.214(b)]

Operating entities and CWDs must have mechanisms in place to determine WtW eligibility for individuals who are:

- Within 12 months of no longer being eligible to receive CalWORKs assistance because of reaching their federal lifetime limit on aid;
- Within 12 months of their last or only minor child in an assistance unit turning 18 years of age and the family no longer being eligible to receive CalWORKs assistance;
- No longer receiving CalWORKs assistance but would otherwise be eligible except for reaching his or her federal lifetime limit on aid;
- Noncustodial parents whose minor child and/or the custodial parent is receiving CalWORKs assistance; and
- Noncustodial parents living in California whose children are receiving TANF-funded assistance in another state.

The actual scope of these mechanisms, operating procedures, and roles and responsibilities of the cooperating parties is left to local determination and should be included in the WtW Grant local plan or request for proposal. Local agreements among

the cooperating parties should embody these mechanisms, operating procedures, and roles and responsibilities.

Since current receipt of CalWORKs assistance is the single most critical WtW Grant program eligibility criterion, it is important that the CWD be the source of information about whether an individual is receiving CalWORKs assistance, the length of such receipt of assistance, and applicable participation time limits or duration of lifetime limits. At a minimum, for CalWORKs recipients, WtW eligibility determination mechanisms must include arrangements with the CWD to ensure that information about the receipt of CalWORKs assistance is **current at the time of the recipient's enrollment in the WtW Grant program.**

***In cases where there is difficulty or delay in receiving verification of CalWORKs status from the CWD for a particular individual, an operating entity may use self-attestation if it has a written policy that includes the type of documentation that will be used to verify receipt of CalWORKs assistance until actual verification is received from the CWD, along with documentation of the steps taken to request such information. The type of documentation may include a locally developed self-attestation which includes information about the individual's receipt of assistance and the cumulative number of months the individual has been receiving TANF/CalWORKs assistance. Subsequently, every effort should be made by the operating entity to verify the information with the CWD. However, if it is determined by the CWD that the individual is not a current recipient of CalWORKs assistance or has not received aid for 30 months or more, the costs incurred by the operating entity serving the individual may be disallowed by DOL. It is also incumbent upon the CWDs to cooperate with the operating entities, provide the information that the operating entities need in a timely manner, and not jeopardize the operation of the WtW Grant program by withholding information.***

**Local Definitions**—Operating entities in cooperation with their CWDs may develop and employ their own definitions for the following:

- Low skills in reading or mathematics and poor work history for up to 10 percent of participants to recognize individual circumstances, specialized needs, including individuals with disabilities, and local labor market conditions;
- Full-time employment; and
- Characteristics associated with, or predictive of, long-term welfare dependence.

Locally developed definitions must be included in a PIC's local plan. The Governor's 15 Percent project subgrantees must include their locally developed definitions in their policy and procedure statements. Local definitions must be developed in partnership with the local CWD that serves the operating entity's clientele. As part of the CalWORKs Plan WtW Addendum that must be updated annually by counties, CWDs will include the definitions agreed to by all parties beginning with next year's update. These definitions should not be so restrictive as to exclude those individuals Congress intended to be served. Operating entities should be prepared to demonstrate local conditions and participant needs.

**State WtW Grant Matching Fund Exception**—The 70 percent and 30 percent provisions do not apply to the State's WtW matching funds. The match must be expended for WtW allowable costs and activities for any WtW eligible individuals without regard to the 70 and 30 percent spending limitations. The matching fund exception applies to the State WtW Grant matching funds allotted to CWDs and any of the aforementioned funds passed through to operating entities from the CWDs. In addition, in-kind services, cash donations, and other allowable forms of matching funds (Title 20 CFR Section 645.300) that are provided by operating entities are also exempt from the 70 percent and 30 percent spending limitations.

**A Minor Child's Months on Aid**—For a minor child of a noncustodial parent, anytime the minor child has received CalWORKs assistance counts toward the 30 months on aid criterion for determining eligibility for a noncustodial parent.

***A young mother, who is on her parent's case, may establish her own case when she becomes 18 years of age. The months when she received CalWORKs assistance on her parent's case, from the date of birth of her child, may be included in the calculation of the 30-month criterion. However, the time that a young mother was on her parent's case as a minor child does not count against the young mother's federal 60-month lifetime limit on aid.***

***A youth, other than a teen parent, under the age of 18 is eligible to receive services through the WtW Grant program.***

**NOTE:** ***The CalWORKs recipients under 18 years of age, who meet all the eligibility criteria for the WtW Grant program, may receive employment services, if full-time work is an appropriate goal for them, e.g., they are school dropouts, have a high school diploma, or GED. In addition, children of WtW participants may benefit from WtW services through their parents in areas such as transportation, child care, and/or other support services.***

**Penalties**—If a recipient or custodial parent is subject to a CalWORKs penalty at the time of WtW eligibility determination, he or she continues to be considered as currently receiving CalWORKs assistance and would be eligible to participate in the WtW Grant program, as long as he or she is otherwise eligible.

**Redetermination of WtW Grant Eligibility**—Once an individual is determined WtW eligible and enrolled in the WtW Grant program, the operating entity is not required to redetermine WtW eligibility. For example, if someone ceases to receive CalWORKs assistance due to increased earnings, that individual may continue to participate in appropriate WtW activities and receive services as long as the services are needed to obtain and retain employment. If a noncustodial parent is participating in a WtW Grant program and the custodial parent and/or the minor child(ren) of the noncustodial parent ceases to receive CalWORKs assistance or is excluded from the assistance unit due to a financial sanction, the noncustodial parent may continue to participate in WtW Grant program as long as services are needed by the noncustodial parent to obtain and retain employment. [Title 20 CFR Section 654.214(d)]

**Sanctions**—Financial sanctions for failing or refusing to comply with CalWORKs program requirements without good cause shall result in a reduction in the family's grant by removing the noncomplying family member from the assistance unit for a specific length of time. Due to the complexity of the various CalWORKs sanctions that may affect an assistance unit, operating entities and CWDs must work together in resolving these issues. There are different types of sanctions and how they are "cured" depends on what type of sanction it is. [ACIN I-70-99, MPP 42-721.4]

To be eligible under the 70 and 30 percent provisions, an individual must be receiving CalWORKs assistance at the time of enrollment in the WtW Grant program. A CalWORKs financial sanction removes an individual from the assistance unit. Therefore, a recipient who is under a financial sanction at the time of eligibility determination or at the time of enrollment would not be eligible to participate in the WtW Grant program. If during an individual's participation in the WtW Grant program, he or she is financially sanctioned, the individual may continue his or her participation in the WtW Grant program. However, the operating entity and the CWD must cooperate in assisting the recipient in complying with the CalWORKs program requirements and curing the sanction.

Under the 30 percent provision, a noncustodial parent is ineligible if the custodial parent is financially sanctioned at the time of WtW eligibility determination and enrollment, even if the noncustodial parent is otherwise WtW eligible. The custodial parent must be receiving TANF/CalWORKs assistance at the time that the noncustodial parent is determined eligible and enrolled in the WtW Grant program. Subsequent financial sanctions of the custodial parent do not affect the noncustodial parent's previously determined WtW eligibility.

**Social Security Numbers**—Section 205(C)(i) of the Social Security Act authorizes the use of the noncustodial parent's social security number in the administration of the WtW Grant program.

**Time Limits and Work Participation Requirements for CalWORKs Welfare-to-Work Program**—*New CalWORKs Recipients:* A recipient who began receiving TANF-funded assistance on or after the implementation of the CalWORKs welfare-to-work program in a county is eligible to receive aid for a cumulative period of not more than 18 months, unless the recipient is working in unsubsidized employment, or the CWD certifies that there is no job currently available for the recipient. If a CWD determines that there is no job currently available, the recipient must participate in community service for the CalWORKs required minimum number of hours. The CWD may extend the 18 months for up to 6 additional months. [ACIN I-70-99, MPP 42-710.5]

*Current Recipients:* A recipient, who is receiving TANF-funded assistance in the month prior to the implementation of the CalWORKs welfare-to-work program in the county, is eligible to receive aid for a cumulative period of no more than 24 months unless the recipient is working in unsubsidized employment, or the CWD certifies there is no job currently available and the recipient participates in community service activities for the CalWORKs required minimum number of hours. [ACIN I-70-99, MPP 42-710.5]

NOTE: The 18- and 24-month participation time limits start on the date the recipient signs, or refuses to sign without good cause, his or her CalWORKs welfare-to-work plan. [ACIN I-70-99, p. 6, MPP 42-710.21]

Operating entities may offer occupational or basic education training to recipients who have reached the 18- or 24-month limit and are in an unsubsidized job or CalWORKs community service activity to allow the recipient to move up or secure a better job. The operating entities may also provide these recipients with WtW Grant program supportive services or job retention services, or provide refresher courses in interviewing or other skills needed to obtain self-sufficiency. [ACL 99-20, p. 2]

Current State statute requires that nonexempt CalWORKs cash assistance recipients participate in the CalWORKs welfare-to-work program. State statute also requires that, once nonexempt recipients reach their 18-or 24-month time limit, they must participate in unsubsidized employment, community service, or a combination of the two activities to meet their work participation requirements. The only paid community service activity permissible under existing State law is grant-based community service, a CalWORKs welfare-to-work activity in which a participant receives a paycheck from an employer, but all or a portion of the participant's cash assistance grant aid is diverted to the employer as a wage subsidy.

Given the above, the paid work experience, community service, and on-the-job training employment activities provided under the DOL's WtW Grant program are not allowable activities for CalWORKs recipients who reach their 18- or 24-month time limit, but these recipients may elect to accept WtW Grant program subsidized employment positions. However, because participation in these activities currently cannot be counted toward meeting a participant's CalWORKs work requirements, in order to remain eligible for CalWORKs, the participant will be required to participate in activities which will meet the CalWORKs requirements as well as the WtW Grant program activities.

The operating entity and local CWD must work together for the successful transition of CalWORKs recipients from welfare to unsubsidized employment. It is the responsibility of the local partners to inform recipients of the program choices available through CalWORKs, WtW Grant, and related programs. The partners must ensure that recipients are aware of the advantages, disadvantages, and consequences of participating in one program over another or choosing a mix of programs and services that will provide the best overall benefit and preparation for self-sufficiency.

**Work Requirements for Noncustodial Parents**—The CalWORKs welfare-to-work program requirements do **not** apply to noncustodial parents who are participating in the WtW Grant program.

**ACTION:**

All requirements in this directive are effective the date of its issuance. Operating entities and CWDs should review all existing processes, WtW documents, and eligibility mechanisms for consistency with these requirements. This directive must be shared with all subgrantee, service provider, and CWD staff who are responsible for determining and verifying eligibility for the WtW Grant program, as well as other individuals deemed appropriate.

**INQUIRIES:**

Please direct WtW Grant inquiries about this directive to your assigned EDD program manager at (916) 654-7799 or Georganne Pintar Baldwin, Policy Unit Manager, EDD, at (916) 654-7611. Direct CalWORKs inquiries to Pat Loader, WtW Grant Project Analyst, CDSS, at (916) 654-1770.

/S/ BILL BURKE

Assistant Deputy Director

Attachments

**WELFARE-TO-WORK (WtW) GRANT PROGRAM**  
**GLOSSARY**

**Assistance—**

- **California Work Opportunity and Responsibility to Kids (CalWORKs) Assistance**—As of January 1, 1998, CalWORKs replaced the Aid to Families with Dependent Children (AFDC) cash assistance program. As assistance applies to the WtW Grant program, CalWORKs assistance refers to Temporary Assistance for Needy Families (TANF) and State-funded programs of family assistance that are operated in accordance with the TANF statute, regardless of their funding source.
- **TANF**—Title 45 Code of Federal Regulations (CFR) Section 260.31, dated April 12, 1999, redefined assistance funded by the TANF program to include cash, payments, vouchers, and other forms of benefits designed to meet a family's ongoing basic needs (i.e., food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses). The new definition of TANF-funded assistance went into effect on October 1, 1999, and applies to the CalWORKs and WtW Grant programs.

Assistance also includes benefits that are:

- (1) Provided in the form of payments by a TANF agency or other agency on its behalf to individual recipients; and
- (2) Conditioned on participation in work experience or community service or other work activities that include:
  - Unsubsidized employment
  - Subsidized private-sector employment
  - Subsidized public-sector employment
  - Work experience if sufficient private-sector employment is not available
  - On-the-job training
  - Job search and job readiness assistance
  - Community service programs
  - Vocational educational training
  - Job skills training directly related to employment
  - Education directly related to employment
  - Satisfactory attendance at secondary school or in a course of study leading to certificate of general equivalency diploma (GED)
  - Providing child care services to an individual who is participating in a community service program. [Title 45 CFR Section 261.30, dated April 12, 1999]

It also includes supportive services such as transportation and child care provided to families **who are not employed**.

The receipt of CalWORKs assistance funded by TANF counts towards the federal 60-month lifetime limit on aid. Effective October 1, 1999, CalWORKs supportive services such as transportation and child care provided to families who are employed and no longer receiving assistance no longer counts toward an individual's federal lifetime limit on aid and is not "CalWORKs assistance." This means individuals who are employed and receiving only CalWORKs supportive services are no longer considered to be receiving "assistance" and would not be eligible to participate in the WtW Grant program unless they had been enrolled in the WtW Grant program prior to their employment.

- **WtW Cash Assistance**—Title 45 CFR Section 260.32, dated April 12, 1999, redefined WtW cash assistance to include those benefits identified above that are directed at basic ongoing needs when they are provided in the form of cash payments, checks, reimbursements, electronic funds transfers, or any other form that can be converted to currency. Such WtW cash assistance must be counted toward an individual's federal lifetime limit on aid.

The WtW benefits and services **excluded** from being counted as "cash assistance" and that **do not** count toward an individual's federal 60-month lifetime limit on aid are:

- (1) Nonrecurrent, short-term benefits that:
  - (i) Are designed to deal with a specific crisis situation or episode of need;
  - (ii) Are not intended to meet recurrent or ongoing needs; and
  - (iii) Will not extend beyond four months;
- (2) Work subsidies (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training);
- (3) Supportive services, such as child care and transportation provided to families who are employed or not employed [Title 45 CFR Section 260.31(b)];
- (4) Refundable earned income tax credits;
- (5) Contributions to, and distributions from, Individual Development Accounts;
- (6) Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support; and
- (7) Transportation benefits provided under a Job Access or Reverse Commute project, pursuant to Section 404(k) of the Personal Responsibility and Work Opportunity Reconciliation Act, to an individual who is not otherwise receiving assistance.



**Barriers to Employment**—Three barriers to employment are used to identify the required beneficiaries of the WtW Grant program:

1. Not having completed secondary school or obtained a GED, and having low skills in reading or mathematics at or below the 8.9 grade level.
2. Requiring substance abuse treatment for employment.
3. Having a poor work history, which means the individual has not worked in full-time unsubsidized employment for at least 13 consecutive weeks in the past 12 calendar months.

The required beneficiaries of the WtW Grant program must face at least two of the three barriers.

**CalWORKs Assistance**—TANF-funded assistance in California as provided under Title 45 CFR Section 260.31(a) and Title 20 CFR Sections 645.212, 645.213, and 645.214.

**CalWORKs Welfare-to-Work Program**—On January 1, 1998, the Greater Avenues of Independence (GAIN) program was replaced by the CalWORKs welfare-to-work program in California.

**CalWORKs Work Activities** include:

- Unsubsidized employment
- Subsidized private sector employment
- Subsidized public sector employment
- Work experience
- On-the-job training
- Grant-based on-the-job training;
- Work-study
- Self-employment
- Community service
- Adult basic education
- Job skills training directly related to employment
- Vocational education and training
- Job search and job readiness assistance
- Education directly related to employment
- Satisfactory progress in secondary school or in a course of study leading to a certificate of general educational development, in the case of a recipient who has not completed secondary school or received such a certificate
- Mental health, substance abuse, and domestic violence services
- Participation required of the custodial parent by the school to ensure the child's school attendance
- Other activities necessary to assist an individual in obtaining unsubsidized employment

**WtW Grant Program Allowable Activities** include:

- Community service
- Work experience
- Jobs created through public or private sector employment wage subsidies
- On-the-job training
- Job-readiness, job placement, and postemployment services provided through public or private contracts
- Job placement, job readiness, and postemployment services provided through vouchers
- Job retention and support services after an individual is placed in a job readiness activity, which include substance abuse treatment, child care assistance, emergency or short-term housing assistance
- Individual Development Accounts

**CalWORKs**—The CalWORKs program replaced the AFDC and Job Opportunities in the Business Sector's (JOBS) GAIN programs on January 1, 1998, in California.

**Caretaker Relative**—The Department of Labor (DOL) Region VI correspondence with the Job Training Partnership Division (JTPD) provides that states are responsible for defining caretaker relative under the TANF program. California's definition of caretaker relative is from the California Welfare and Institutions Code (WIC) Section 319:

The term relative means an adult who is related to the minor by blood, adoption, or affinity within the fifth degree of kinship. This relationship includes stepparents, stepsiblings, and all relatives whose status is preceded by the words "great," "great-great," or "grand," or the spouse of any of those persons even if the marriage was terminated by death or dissolution.

NOTE: It is the responsibility of the CWD to determine the eligibility of the family, i.e., the custodial parent(s) or caretaker relative(s) and their related children, for CalWORKs assistance. (Refer to the California Department of Social Services [CDSS] Manual of Policies and Procedures [MPP] 82-808 for more information regarding caretaker relative.)

**Characteristics Associated With, or Predictive of, Long-Term Welfare Dependence**—Characteristics associated with, or predictive of, long-term welfare dependence may include having dropped out of school, teenage pregnancy, or having a poor work history (as locally defined). Operating entities have the flexibility to designate other characteristics that they consider associated with, or predictive of, long-term welfare dependence.

**County Welfare Departments (CWD)**—The local agencies responsible for administration of the CalWORKs program.

**Custodial Parent** means *a party awarded physical custody of a child(ren) [California Family Code, Section 3800]. This includes any person who has primary care of a minor child, which includes the biological parent, adoptive*

***parent, caretaker relative, or a non-relative, caring for a minor child receiving CalWORKs assistance.***

**Federal Lifetime Limit on Aid**—California may not provide TANF-funded assistance to a family unit that includes an adult head-of-household or spouse of the head-of-household who has received TANF-funded assistance for 60 cumulative months (whether or not consecutive) after the date the State TANF program commences (TANF began in December 1996 in California). California's CalWORKs program became effective on January 1, 1998, and has many different participation requirements than the TANF program.

This provision also applies to a family that includes a pregnant minor head-of-household, minor parent head-of-household, or spouse of such a head-of-household who has received CalWORKs assistance for a total of 60 months, whether or not consecutive.

Notwithstanding the provisions above, a state may provide services under the WtW Grant program to an individual that is ineligible for CalWORKs assistance solely because he or she has reached the federal lifetime limit on aid but would otherwise be eligible for CalWORKs assistance.

Exceptions:

California does not count toward the TANF 60-month lifetime limit on aid the following:

1. Any month of receipt of TANF-funded CalWORKs assistance by an individual who is not the head-of-household or married to the head-of-household;
2. Any month of receipt of TANF-funded assistance by an adult while living in Indian Country (as defined in Section 1151 of Title 18, United States Code), or a Native Alaskan Village where at least 50 percent of the adults in Indian Country or the Native Alaskan Village were not employed; and
3. Any month for which an individual receives only noncash assistance provided under WtW Grant program, pursuant to Title 45 CFR Section 260.32(3)(b), dated April 12, 1999.

Only the months that an individual receives TANF-funded assistance (in whole or in part) count towards the federal lifetime limit on aid. As provided under *Assistance*, child care and transportation benefits provided to individuals **who are employed** and not receiving any other form of cash assistance do not count toward the federal lifetime limit on aid.

**Foster Care**—Foster care payments are not TANF-funded assistance. Even though the foster care program is part of the overall welfare program in California, it is not TANF-funded CalWORKs assistance. If a noncustodial parent's child(ren) is in foster care, the noncustodial parent is not eligible to participate in the WtW Grant program unless the custodial parent of the foster child is a recipient of CalWORKs assistance.

**Has Not Completed Secondary School (Barrier to Employment)**—This means that the individual has not completed secondary school or obtained a GED, and has low skills in reading or mathematics. Low skills in reading or mathematics means having reading or mathematics skills at or below the 8.9 grade level. As provided above, ***in***

***cases where an individual who is non-English or limited-English speaking has a high school diploma or equivalent from another country, such diploma may be disregarded when determining eligibility for the WtW Grant program.***

**Individual Development Account (IDA)** means an account established by or for an individual who is eligible for TANF-funded assistance that allows the individual to accumulate funds for specific purposes [refer to Section 404(h) of the Social Security Act, and CDSS MPP 89-130, Restricted Accounts and IDAs].

**Low Skills in Reading or Mathematics (Barrier to Employment)**—Low skills in reading or mathematics means reading or mathematics skills at or below the 8.9 grade level. [Title 20 CFR Section 645.212(a)(2)(i)]

**Noncustodial Parent** is a parent who is absent from the child's household due to divorce, separation, desertion, or any other reason, except absence occasioned solely by reason of the performance of active duty in the uniformed services of the United States. [WIC Section 11250]

**Participant** means a WtW eligible individual who is enrolled and attending a WtW allowable activity and/or receiving WtW allowable services.

**Penalties**—If a recipient or custodial parent of a noncustodial parent's minor child is under a CalWORKs penalty at the time of WtW Grant eligibility determination, the recipient or the noncustodial parent **would be** eligible to participate in the WtW Grant program. A CalWORKs penalty does not remove an individual from the assistance unit.

**Poor Work History (Barrier to Employment)**—Poor work history is a barrier to employment under the 70 percent provision of the WtW Grant program and a characteristic of welfare dependence under the 30 percent provision.

For the 70 percent provision, the DOL has defined the barrier of having a poor work history to mean having worked full-time in unsubsidized employment for at least 13 consecutive weeks in the last 12 calendar months.

Operating entities should develop their own definition of "full-time" employment since the law and regulations do not define it. Full-time employment is an industry standard or an arrangement arrived at through bona fide collective bargaining. Operating entities should be prepared to demonstrate that their definitions of working full time are consistent with local labor market conditions. However, operating entities should not develop definitions for full-time employment that are so restrictive as to exclude individuals Congress targeted for service.

**Poor Work History (characteristic of long-term welfare dependence)**—Under the 30 percent provision, the characteristic of having a poor work history is undefined. Operating entities are allowed flexibility in defining the characteristic "poor work history;" however, an operating entity must be prepared to demonstrate that its definitions are consistent with local labor market conditions, and are not so restrictive as to exclude the individuals Congress targeted for service. [Title 20 CFR Section 645.213(a)(2)]

**Required Beneficiaries**—An operating entity must expend no less than 70 percent of the WtW Grant funds allotted or awarded to it for the benefit of hard-to-employ

individuals. This requirement does not apply to the proportion of WtW Grant program participants served. It applies to the percentage of WtW Grant funds expended on the participants under the 70 percent provision. [Title 20 CFR Section 645.211]

**Residence Requirements**—The law and regulations do not specify that individuals served by the WtW Grant program in California must reside within a specific Private Industry Council (PIC) or alternate administering entity. Residence requirements may be developed at the discretion of the local operating entities and CWDs involved.

According to the Social Security Act, an entity that operates with WtW Grant funds shall expend funds for the benefit of recipients of assistance of the state in which the entity is located. However, California may enter into agreements to facilitate the provision of services to eligible WtW Grant participants who reside in other states.

**Sanction**—Financial sanctions for failing or refusing to comply with CalWORKs program requirements without good cause shall result in a reduction in the family's cash grant by removing the noncomplying family member from the assistance unit for a specified period of time. [All County Information Notice (ACIN) I-70-99, p. 63, MPP Section 42-721.4]

NOTE: If the recipient is financially sanctioned and is not receiving CalWORKs assistance at the time of the WtW Grant eligibility determination or enrollment, the recipient would not be eligible to enroll in the WtW Grant program until the sanction is "cured." The recipient must be receiving CalWORKs assistance at the time that eligibility is determined, and at the time that the recipient is enrolled in the WtW Grant program. After enrollment, subsequent sanctions of the recipient will not affect the recipient's continued participation in the WtW Grant program. Additionally, if the custodial parent of a noncustodial parent's minor child were sanctioned, the noncustodial parent would not be eligible to participate under the 30 percent provision until after the sanction is cured.

**School Dropout (characteristic of long-term welfare dependence)**—A school dropout is an adult of youth who is no longer attending school and does not have a high school diploma or general equivalency diploma (GED). School dropouts do not have to have reading or math skills at or below the 8.9 grade level.

**Selective Service Registration**—The Military Selective Service Act requires almost all male United States citizens, and male aliens living in the United States, who are 18 through 25 years of age, to register with the Selective Service. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which established the TANF program and the Balanced Budget Act of 1997, **does not require** WtW Grant operating entities to confirm that male recipients of TANF-funded assistance, or other male beneficiaries of WtW Grant program services have complied with this provision of the Military Selective Service Act (Title 50 of the United States Code, Appendix 453).

NOTE: Co-enrollment in other federally funded programs may require verification of Selective Service registration.

**TANF**—The Temporary Assistance for Needy Families program, which went into effect in California in December 1996.

**Teenage Pregnancy (characteristic of long-term welfare dependence)**—As provided under the WtW Grant program, teenage pregnancy means an adult who was a parent as a teenager.

**“Ten Percent Window”**—Under the “10 percent window” for the 70 percent provision, operating entities and CWDs are **only** allowed flexibility in defining “poor work history” and “low skills in reading or mathematics” to recognize individual circumstances, specialized needs, including individuals with disabilities, and local labor market conditions. The flexibility extends to the circumstances, needs, and conditions identified, described/defined, and documented by the operating entity. [Title 20 CFR Section 645.212, Preamble, Criterion b, Barriers to Employment]

NOTE: Operating entities and county welfare departments are not allowed any flexibility in interpreting the other barriers to employment, i.e., not having completed secondary school or obtained a GED, and requiring substance abuse treatment for employment.

**Thirty-Percent Target Group**—Up to 30 percent of the WtW Grant funds may be spent to assist individuals with characteristics associated with long-term welfare dependence. If less than 30 percent of the funds are spent to assist individuals with long-term welfare dependence characteristics, the remaining funds shall be spent to benefit hard-to-employ individuals. This requirement does not apply to the proportion of formula WtW Grant program participants served. It applies to the percentage of WtW Grant funds expended on the participants in this category of eligibility. [Title 20 CFR Section 645.211]

## Welfare-to-Work Grant Program Eligibility Criteria

<b>AT LEAST 70% OF FUNDS <i>MUST</i> BE SPENT ON:</b>	<b>UP TO 30% OF FUNDS <i>MAY</i> BE SPENT ON:</b>
<p><b>CATEGORY I</b></p> <p>Current California Work Opportunity and Responsibility to Kids (CalWORKs) recipients who have at least two of these three barriers:</p> <ul style="list-style-type: none"> <li>• High school dropout with low reading <i>or</i> math skills (8.9 grade level or below), and no general equivalency diploma (GED)</li> <li>• Need substance abuse treatment for employment</li> <li>• Poor work history</li> </ul> <p><b>AND</b> are long-term recipients (one of these two):</p> <ul style="list-style-type: none"> <li>• On assistance for 30 months</li> <li>• Or will hit time limits within 12 months</li> </ul>	<p><b>CATEGORY I</b></p> <p>CalWORKs recipients who have characteristics associated with long-term welfare dependence (one or more):</p> <ul style="list-style-type: none"> <li>• School dropout</li> <li>• Teen pregnancy</li> <li>• Poor work history</li> <li>• Other (defined at local level)</li> </ul>
<p><b>CATEGORY II</b></p> <p>Noncustodial parent of a minor child whose custodial parent or dependent child is a current CalWORKs recipient and has received aid for 30 months or more. The noncustodial parent must have two of the three barriers to employment as provided in Category I above:</p> <ul style="list-style-type: none"> <li>• High school dropout with low reading <i>or</i> math skills (8.9 grade level or below), and no GED</li> <li>• Need substance abuse treatment for employment</li> <li>• Poor work history</li> </ul> <p>Custodial parent or “child-only” cases must be long-term recipients.</p>	<p><b>CATEGORY II</b></p> <p>Noncustodial parent of a child whose custodial parent is a CalWORKs recipient. The noncustodial parent must also have characteristics associated with long-term welfare dependence as in Category I above:</p> <ul style="list-style-type: none"> <li>• School dropout</li> <li>• Teen pregnancy</li> <li>• Poor work history</li> <li>• Other (defined at local level)</li> </ul>

Welfare-to-Work Grant Program Eligibility Criteria (cont.)

AT LEAST 70% OF FUNDS <i>MUST BE</i> SPENT ON:	UP TO 30% OF FUNDS <i>MAY BE</i> SPENT ON:
CATEGORY III	CATEGORY III
<p>Individuals who would otherwise be eligible to receive CalWORKs assistance except for reaching their federal lifetime limit on aid,</p> <p><b>AND</b> have the barriers to employment specified in Category I above:</p> <ul style="list-style-type: none"> <li>• High school dropout with low reading or math skills (8.9 grade level or below), and no GED</li> <li>• Need substance abuse treatment for employment</li> <li>• Poor work history</li> </ul>	<p>Individuals who would otherwise be eligible to receive CalWORKs assistance except for exceeding time limits,</p> <p><b>AND</b> who have characteristics associated with long-term welfare dependence as in Category I above:</p> <ul style="list-style-type: none"> <li>• School dropout</li> <li>• Teen pregnancy</li> <li>• Poor work history</li> <li>• Other (defined at local level)</li> </ul>



Table of Suggested Documentation for  
Welfare-to-Work Grant Program Eligibility

<b>BARRIER/CHARACTERISTIC</b>	<b>DOCUMENTATION (Only one of the following is required.)</b>
<i>Current receipt of assistance</i>	Documentation provided by the County Welfare Department Public Assistance Records/Printout
<i>Length of time on assistance</i> <ul style="list-style-type: none"> <li>• <i>Has been receiving assistance for 30 months</i></li> <li>• <i>Will become ineligible for assistance within 2 months</i></li> </ul>	Documentation provided by the County Welfare Department Public Assistance Records/Printout
<i>Has not completed secondary school</i>	School Records Attendance Record Dropout Letter Applicant Statement
<i>Work First (Participating in an activity which satisfies the Temporary Assistance for Needy Families/California Work Opportunity and Responsibility to Kids [TANF/CalWORKs] work requirement)</i>	Documentation provided by the County Welfare Department Public Assistance Records/Printout
<i>Does not have a general equivalency diploma (GED)</i>	School Records Applicant Statement
<i>Has low skills in reading or mathematics</i>	Assessed by a Generally Accepted Standardized Test within the last 6 months  School Records of Skills Assessed within the last 6 months
<i>Requires substance abuse treatment</i>	Letter from Drug or Alcohol Rehabilitation Agency  Letter or Determination from the County Health Department  Social Service Records County Welfare-to-Work Plan Employer Statement Applicant Statement

Table of Suggested Documentation for  
Welfare-to-Work Grant Program Eligibility (cont.)

<b>BARRIER/CHARACTERISTIC</b>	<b>DOCUMENTATION</b> <b>(Only one of the following is required.)</b>
<i>Has a poor work history</i>	<p>The client may call the Unemployment Insurance Claim Center and request his or her employment history,</p> <p><b>or</b></p> <p>The operating entity may complete a DE 8720 or DE 8720A and mail it to the Inventory Control Unit address listed on each form (see JTPA Directive D98-11),</p> <p><b>or</b></p> <p>Written documentation which includes the date of termination or layoff (e.g., a termination notice received within the last 12 months prior to eligibility determination), or</p> <p>Written evidence of job-seeking efforts (e.g., copies of application letters, rejection letters) which would substantiate that the individual has been unemployed at least 13 consecutive weeks in the last 12 months, or</p> <p>Employer Statement;</p> <p>Any combination of the above or any other documentation which substantiates that the individual has not worked full-time in unsubsidized employment for at least 13 consecutive weeks with the same employer in the last 12 calendar months,</p> <p><b>or</b></p> <p>An Applicant Statement, if no other source of documentation is available.</p>

Table of Suggested Documentation for  
Welfare-to-Work Grant Program Eligibility (cont.)

<b>BARRIER/CHARACTERISTIC</b>	<b>DOCUMENTATION</b> <b>(Only one of the following is required.)</b>
<p><i>Characteristics associated with or predictive of long-term welfare dependence</i></p> <p>NOTE: Local areas have the flexibility to identify characteristics associated with or predictive of long-term welfare dependency. Consequently, it is impractical to anticipate all of the characteristics that may be locally defined. The local areas should develop policy and procedures that establish the forms of documentation that are locally acceptable to establish eligibility. In establishing these policies and procedures, the local areas should be mindful that the Department of Labor and the State of California will inspect participant records to determine that the documentation used is reasonable proof of the conditions which are characteristic of long-term welfare dependence. The least acceptable confirmation will be applicant statements.</p>	<p>See NOTE.</p>

## Sample Referral Form Introduction

Most Welfare-to-Work (WtW) Grant program operating entities may have developed their own mechanisms and referral forms for establishing WtW eligibility and sharing recipient information. The attached sample referral form is included to assist those entities that have not yet developed a form or would like to include some of the elements of the sample form. The form is available in our Resource Information Center at <http://www.edd.ca.gov/wtowrico.htm>. Additional information related to participant reporting, participant tracking, and case management may be included on additional pages.

A form of this nature must be used in lieu of the actual documents required for eligibility determination. It helps establish the roles and responsibilities in determining the eligibility of welfare recipients for the WtW Grant program.

The Employment Development Department is grateful to the Tuolumne County Department of Social Services, the Mother Lode Private Industry Council and Service Delivery Area, and the Amador Tuolumne Community Action Agency for allowing the use of their referral form as a model for our sample.

The operating entities are welcome to use any part of this form in the development of their local referral system. The Employment Development Department encourages every operating entity and county welfare departments to work together in developing similar referral forms in order to assure that WtW program operators abide by the federal requirements to coordinate with the Temporary Assistance for Needy Families (TANF) agencies, and to document and verify eligibility information.

## Sample Referral Form

Participant Name:		Social Security Number:		TANF Case Number:	
Address: (Street, City, ZIP)			Mailing Address, if different:		
Telephone Number:	Gender M <input type="checkbox"/> F <input type="checkbox"/>	Birth Date:	Citizen Yes <input type="checkbox"/> No <input type="checkbox"/> If No: Legal Right to Work in U.S.: Yes <input type="checkbox"/> No <input type="checkbox"/>		
Testing Used: <input type="checkbox"/>	CASAS Test Scores:	Form #	<input type="checkbox"/>	TABE	Form #
Reading: Raw _____		Math: Raw _____			
Reading: Scaled _____		Math: Scaled _____			

### Welfare-to-Work Eligibility Criteria

This individual meets the following Welfare-to-Work eligibility criteria:

1. ☐ Current TANF Recipient ☐ custodial parent is a TANF recipient  
**OR** Noncustodial parent of minor(s) whose: ☐ dependent child is a TANF recipient  
**AND**
2. ☐ Have received TANF/AFDC for at least 30 months (does not need to be consecutive)  
**OR**  
☐ Will become ineligible for TANF within 12 months  
**AND**
3. ☐ Individual has *at least 2 of the following barriers* to employment:  
☐ No high school diploma or GED **AND** math or reading scores at or below the 8.9 grade level  
☐ Needs substance abuse treatment for employment  
☐ Has a poor work history--Has not worked more than 13 consecutive weeks with the same employer in full-time unsubsidized employment in the last 12 calendar months  
**OR**
4. ☐ Individual has at least one of the locally determined characteristics associated with or predictive of long-term welfare dependence. Describe: \_\_\_\_\_  
\_\_\_\_\_

I certify that the above information has been documented and verified by NAME OF THE RESPONSIBLE ENTITY. The Department certifies that this individual has provided documentation that he/she is legally entitled to work in the U.S.

Signature of locally determined signatory \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Date: \_\_\_\_\_

I authorize the exchange of pertinent CalWORKs/TANF information between NAME OF COUNTY DEPARTMENTS, OPERATING ENTITIES AND OTHER SERVICE PROVIDERS, state or federal agencies or their representatives for case management, monitoring and/or auditing.

\_\_\_\_\_  
CalWORKs Recipient Signature

\_\_\_\_\_  
Date